## BEFORE THE PUBLIC SERVICE COMMISSION

## OF THE STATE OF DELAWARE

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## ORDER NO. 7912

AND NOW, to-wit, this 22<sup>nd</sup> day of February, 2011:

WHEREAS, on February 1, 2011, Global Crossing North America Networks, Inc. ("GC NAN") filed an application seeking authority to abandon competitive intrastate telecommunications services within the State of Delaware (the "Application"); and

WHEREAS, GC NAN was granted a Certificate of Public Convenience and Necessity (a "CPCN"), pursuant to Rule 7 of the Public Service Commission (the "PSC") "Rules for the Provision of Telecommunications Services," to provide competitive intrastate telecommunications services by PSC Order No. 3787 (May 17, 1994) in PSC Docket No. 94-16; and

WHEREAS, on April 5, 2010, the PSC received notice of a planned pro forma merger between Global Crossing Telecommunications, Inc. ("GCTI") and GC NAN (the "Merger"), under which GC NAN would be merged into its affiliate, GCTI. All of the assets of GC NAN would be transferred to GCTI, and GC NAN would cease to exist; and

WHEREAS, the Merger would have no customer impact, since GC NAN had no Delaware customers; and

WHEREAS, the Merger was consummated on December 31, 2010; and

WHEREAS, on May 17, 1994, by Order No. 3787 in PSC Docket No. 94-16, GC NAN was granted a CPCN to provide competitive intrastate telecommunications services within the State of Delaware under the name of RCI Long Distance, Inc. ("RCI");

WHEREAS, in PSC Docket No. 94-191T, RCI changed its name to Frontier Communications International, Inc. ("Frontier"); and

WHEREAS, in PSC Docket No. 00-362T, Frontier's name was changed to GC NAN; and

WHEREAS, 26 Del. C. §203A(c) (1) prohibits regulated public utilities from abandoning or discontinuing their business, operations, or services provided under a CPCN without first having received PSC approval; and

WHEREAS, by the Application, GC NAN seeks approval of its abandonment under section 203A(c) (1) and an order of the PSC canceling and terminating its CPCN; and

WHEREAS, in support of its Application, GC NAN notes that it has no competitive intrastate customers in Delaware and no outstanding liabilities to any Delaware customers in the form of deposits or prepayments for any of its services; and

WHEREAS, the PSC has determined that applications to terminate CPCNs granted to provide competitive intrastate telecommunications services should be routinely approved upon the filing of a verified application and that, in a competitive market, such abandonment or discontinuance is presumptively reasonable, necessary, and not unduly disruptive to the present or future public convenience and necessity;

## NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS:

- 1. That, upon the express condition that the representations in the verified application of Global Crossing North America Networks, Inc. are true and correct, said application to abandon the provision of competitive intrastate telecommunications services as a public utility filed by Global Crossing North America Networks, Inc. is hereby granted and approved effective with the date of this Order.
- 2. That the Certificate of Public Convenience and Necessity granted to Global Crossing North America Networks, Inc. (Order No. 3787, May 17, 1994, PSC Docket No. 94-16) is hereby revoked.
- 3. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

/s/ Arnetta McRae
Chair

/s/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Dallas Winslow
Commissioner

/s/ Jeffrey J. Clark
Commissioner

PSC Docket No. 11-50, Order No. 7912 cont'd

ATTEST:

 $\frac{/\text{s/ Alisa Carrow Bentley}}{\text{Secretary}}$